

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JAMAHL KING,

Plaintiff,

v.

Civ. No.: 6:23-cv-06528

VILLAGE OF GENESEO,
GENESEO POLICE DEPARTMENT,
And GENESEO POLICE DEPARTMENT
OFFICER TRAVIS LANA, and
OFFICERS JOHN and JANE DOE,

Defendants.

**DECLARATION OF SHANNON B. VANDERMEER IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS UNDER RULE 12(C)**

I, Shannon B. Vandermeer, make this Declaration under penalties of perjury pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law duly licensed to practice in the State of New York and this Court, and a partner with the law firm Webster Szanyi LLP, attorneys for Defendants Village of Geneseo, Geneseo Police Department, and Officer Travis Lana, (collectively the "Village Defendants").

2. I make this Declaration in support of the Village Defendants' Motion to Dismiss Plaintiff's claims in the Complaint pursuant to Rule 12(c).

3. Attached as **Exhibit A** is a true and accurate copy of Plaintiff's Notice of Claim where he failed to include certain theories of liability that he now seeks to allege in his Complaint.

4. Further attached as exhibits are Plaintiff's Affidavits of Service demonstrating that none of the Village Defendants were properly served.

5. Attached as **Exhibit B** is a true and accurate copy of Plaintiff's Affidavit of Service for the Village of Geneseo.

6. Attached as **Exhibit C** is a true and accurate copy of Plaintiff's Affidavit of Service for the Geneseo Police Department.

7. Attached as **Exhibit D** is a true and accurate copy of Plaintiff's Affidavit of Service for Officer Lana.

8. As set forth more fully in the accompanying Memorandum of Law, Plaintiff's claims must be dismissed under Rule 12(c).

Dated: April 17, 2024

s/Shannon B. Vandermeer
Shannon B. Vandermeer